S.B.CRIMINAL MISC. BAIL APPLICATION NO.3680/2006

Date : 28.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Pritam Solanki for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The allegation in this case against the applicant is that she gave false assurance of providing employment in the railways and obtained a sum of Rs.1,10,000/- from the complainant. The alleged incident is of the year 1997 and the FIR has been lodged late.

Learned counsel for the applicant submits that allegation that the complainant had gone to the house of the applicant where other persons were there appears to be prima facie not correct because it is not believable that person visiting a doctor for treatment and on assurance of the Doctor immediately would agree to part with huge amount of money. He further submits that the applicant is a cancer patient

therefore, she may be given benefit of anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Taking into consideration the overall facts and circumstances of the present case, I do not find it to be a fit case to extend benefit of anticipatory bail to the applicant. Accordingly, the bail application moved by the applicant under Section 438 Cr.P.C. is rejected.

(SATYA PRAKASH PATHAK), J.